

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL NOLAU, JEFFREY KELLOGG,  
AND DAVID JEANNOTTE, individually and  
on behalf of others similarly situated,

Plaintiffs,

v.

WSP USA INC., and other individuals or  
entities related to the same,

Defendants.

Civil Action No. 1:22-cv-4276-VSB

**[PROPOSED] JUDGMENT IN  
FAVOR OF JEFFREY KELLOGG  
AND DAVID JEANNOTTE**

**WHEREAS**, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant WSP USA INC. (“Defendant”) having offered to allow Plaintiffs Jeffrey Kellogg and David Jeannotte (“Plaintiffs”) to take a judgment against Defendant in the sum of \$5,000 each to resolve all of Plaintiffs’ Fair Labor Standards Act claims against Defendant, in accordance with the terms and conditions of Defendants’ Rule 68 Offer of Judgment dated April 29, 2024 and filed as Exhibit A to Docket Number 86;

**WHEREAS**, on April 29, 2024, Plaintiffs’ attorney having confirmed Plaintiffs acceptance of Defendant’s Rule 68 Offer of Judgment (Dkt. No. 86); and

**WHEREAS**, Plaintiffs have filed a Stipulation of Dismissal without prejudice with respect to any remaining claims in the Action (Dkt. No. 85), and

**NOW THEREFORE**, this Court Orders the following judgment to be entered:

**IT IS ORDERED, ADJUSTED AND DECREED** that:

1. Plaintiff Jeffrey Kellogg shall have and recover from Defendant WSP USA Inc. the amount of \$5,000.00 and that Plaintiff Jeffrey Kellogg’s individual claims under the Fair Labor

Standards Act as asserted in the First Amended Class and Collective Action Complaint are hereby dismissed with prejudice.

2. Plaintiff David Jeannotte shall have and recover from Defendant WSP USA Inc. the amount of \$5,000,00 and that Plaintiff David Jeannotte's individual claims under the Fair Labor Standards Act as asserted in the First Amended Class and Collective Action Complaint are hereby dismissed with prejudice.

3. The Clerk of Court is respectfully directed to close this case.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Vernon S. Broderick, U.S.D.J.